



SUGHRUE MION, PLLC



#21 DB
2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213

T 202.293.7068
F 202.293.7866

www.sughrue.com

Gordon Kit

T 202-663-7945
gkit@sughrue.com

January 29, 2003

BOX CPA

Commissioner for Patents
Washington, D.C. 20231

Re: Application of **Shigeto UCHIYAMA**,
Tomomi UENO, **Megumi KUMEMURA**,
Kiyoko IMAIZUMI, **Kyosuke MASAKI**,
and **Seiichi SHIMIZU** entitled
"ISOFLAVONE-CONTAINING COMPOSITION"

Assignee: **OTSUKA PHARMACEUTICAL CO., LTD**

Our Ref: **Q-57711**

RECEIVED
MAR 31 2003
TECH CENTER 1600/2900

RECEIVED
JAN 8 1 2003
TC 1700

RECEIVED

FEB 06 2003

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (Continued Prosecution Application (CPA)) of pending prior Application No. **09/485,320**, filed on **February 8, 2000**, of **Shigeto UCHIYAMA**, **Tomomi UENO**, **Megumi KUMEMURA**, **Kiyoko IMAIZUMI**, **Kyosuke MASAKI** and **Seiichi SHIMIZU** entitled "**ISOFLAVONE-CONTAINING COMPOSITION**"; which is a 371 of PCT/JP98/03460 filed August 4, 1998.

This application is being filed under 37 C.F.R. § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 1651.

The Examiner is respectfully requested to enter the Amendment under 37 C.F.R. § 1.116 previously filed on October 29, 2002, but unentered, in the prior application.

01/30/2003 EAREGAY1 00000024 09485320

01 FC:1006

750.00 OP



SUGHRUE MION, PLLC



Commissioner for Patents

January 29, 2003

Page 2

A Petition for One-month Extension of Time (and payment therefor) is being filed concurrently herewith in Parent Application No. 09/485,320.

The executed Declaration and Power of Attorney appears in the original papers of the prior application.

Priority is claimed from:

| <u>Country</u> | <u>Application No</u> | <u>Filing Date</u> |
|----------------|-----------------------|--------------------|
| JAPAN | 214604/1997 | August 8, 1997 |

The priority document was submitted in Parent Application

No. 09/485,320 during entry of national stage.

The Government filing fee is calculated as follows:

| | | | | | | |
|--------------------|---------|---|---|---------|---|----------|
| Total claims | 10 - 20 | = | x | \$18.00 | = | \$.00 |
| Independent claims | 2 - 3 | = | x | \$84.00 | = | \$.00 |
| Base Fee | | | | | | \$750.00 |

TOTAL FILING FEE

\$750.00

A check for the statutory fee, in the amount of \$750.00, is submitted herewith.

The U.S. Patent and Trademark Office is hereby directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

The application is timely filed.

Respectfully Submitted,
SUGHRUE MION, PLLC

Gordon Kit
Registration No. 30,764

WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

RECEIVED
FEB 06 2003
TECH CENTER 1600/2900